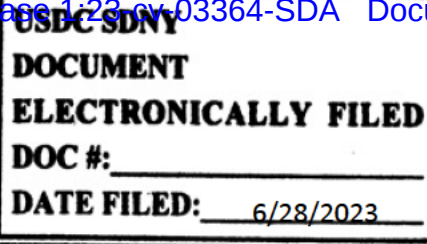


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June 27, 2023

VIA ECF

Hon. Stewart D. Aaron
US Courthouse
500 Pearl Street
New York, NY 10007

Request GRANTED. SO ORDERED.

Dated: 6/28/2023

Re: *Take Big Steps LLC v. It's All Happening, LLC dba New Law Business Model* (Case No. 1:23-cv-03664); and
It's All Happening, LLC v. Laura E. Cowan, Esq., and Take Big Steps LLC
(Case No. 1:23-cv-04620)

Dear Judge Aaron:

The undersigned counsel represents *Take Big Steps LLC* and *Laura E. Cowan* in the above-referenced actions, and we request that the two litigations be consolidated into a single action, specifically, under the first-filed action. Counsel for *It's All Happening LLC* consents to this request.

As Your Honor is already aware, *Take Big Steps* (which is owned and operated by Laura Cowan) won the proverbial “race to the courthouse” and filed its Declaratory Judgment Action. Several weeks later, *It's All Happening LLC* (hereinafter, “IAH”) filed its lawsuit and deemed it a “related case” to the first-filed action. Per this Court’s Local Rules, IAH then filed a “Related Case Statement” that acknowledges that “[b]oth lawsuits relate to a dispute involving the interpretation of [a] contract between [IAH] dba NLBM and Laura E. Cowan,” as well as whether any proprietary rights and intellectual property of IAH have been infringed by Cowan and *Take Big Steps LLC*. (Doc. No. 10 in case no. 1:23-cv-03664).

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, “[i]f actions before the court involve a common question of law or fact, the court may . . . consolidate the actions . . . or issue any other orders to avoid unnecessary cost or delay.” “District courts have broad discretion to determine whether consolidation is appropriate[] and may consolidate actions under Rule 42(a) *sua sponte*. Consolidation should be prudently employed as a valuable and important tool of judicial administration, invoked to expedite trial and eliminate unnecessary repetition and confusion.” *Noel v. Shinseki*, Nos. 12-cv-6035, 13-cv-152, 2012 WL 431829, at *1 (E.D.N.Y. Jan. 31, 2013).

The first-filed lawsuit was filed on April 21, 2023 (Doc. No. 1), and an Amended Complaint was filed in that action on May 14, 2023. (Doc. No. 7). The Amended Complaint was served onto IAH on May 19, 2023. (Doc. No. 8). The second-filed lawsuit was filed with this Court on June 1, 2023. (Doc. 1 in 1:23cv04620). For all intents and purposes, the second-filed lawsuit’s Complaint is comprised of IAH’s counterclaims against *Take Big Steps LLC* and adds

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Laura E. Cowan as a party to the dispute. Subsequently, on June 9, 2023, IAH filed its Answer to Take Big Steps' Amended Complaint, which does not include any Counterclaims (Doc. No. 12 in 1:23-cv-03664), since they were already included in the IAH Complaint.

Consequently, we request that the Court consolidate the two actions and order the parties to file all future filings for either of the above-named actions only on case number 1:23-cv-03664. As is noted above, IAH has provided its consent. If necessary, IAH's Complaint can be re-docketed/re-filed in the original action. Then, the Clerk of Court may administratively close docket number 1:23-cv-04620.

Further, the Parties agree that case number 1:23-cv-03664 can be re-captioned as follows:

TAKE BIG STEPS LLC,

v.

IT'S ALL HAPPENING LLC, d.b.a. New Law Business Model,

v.

*LAURA E. COWAN, ESQ., dba Law Office of Laura Cowan PLLC, and TAKE BIG STEPS LLC
fka Laura Cowan International LLC.*

We thank the Court for its consideration.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Ariel Peikes', written in black ink.

Ariel Peikes

*Attorney for Laura E. Cowan. and Take Big Steps,
LLC*